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10/693,387	10/24/2003	D. Travis Lay	200208954-1	1634

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EXAMINER

WILLIAMS, DON J

ART UNIT PAPER NUMBER

2878

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/693,387

Applicant(s)

LAY ET AL.

Examiner

Don Williams

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-20 is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

The Affidavits corresponding to Exhibit A filed on September 19, 2002 and Exhibit B filed on February 22, 2002 under 37 CFR 1.131 are sufficient to overcome Ohba et al (4,483,124) in view of Kretschmann et al (6,836,672) reference. The rejection has been withdrawn. Upon further consideration, a new ground(s) of rejection is made.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-9, 11-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohba et al in view of Blackman et al (6,167,231).

As to claim 1, Ohba et al disclose a sheet-like material processing apparatus that is functionally equivalent to the media routing control device. Ohba et al disclose sensors (211, 212) for detecting features of the transfer sheet (P), which are compatible to characteristics of a media sheet; a usable sheet media path or normal sheet transfer path (303 or 303a), an unusable sheet media path or soiled sheet transfer path (303b); a controller (900) electrically coupled to the sensors (315, 313), (see fig. 1B, column 10, lines 34-60, fig. 24, column 28, lines 30-68). Ohba et al is silent as to the inclusion of a sheet-inverting duplexing path. Ohba et al and Blackman et al are of the same field of

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endeavors. Blackman et al disclose a module duplex media handling system (22) having a sheet-inverting path for flipping the media sheet. It would have been obvious for one ordinary skill in the art to modify Ohba et al to include a media handling system (22) having the capability of inverting or flipping the media sheet (M) on its opposite side corresponding to the detected features or characteristics of the media surfaces as disclosed by Blackman et al in order to facilitate doubled sided copying to reduce the cost of paper used in copying.

As to claim 2, the modified Ohba et al disclose a media routing control device with an input/output device (904) electrically coupled to the controller (900), the input/output device (904) configured to provide one previous use parameter to the controller (900), (see fig. 24, column 28, lines 30-68).

As to claim 4, the modified Ohba et al disclose a media routing control device with input trays (105,106), (see fig. 1B, column 4, lines 56-67, column 6, lines 1-65).

As to claim 5, the modified Ohba et al disclose a media routing control device detachably attach to a sheet-fed device (102), (see fig. 1B, column 5, lines 50-54, column 6, lines 46-48).

As to claim 6, the modified Ohba et al disclose a media routing control device with usable media path (303 or 303a) with properly oriented media sheet (P) to the sheet fed device (102), (see fig. 1B, column 6, lines 46-50).

As to claim 7, Ohba et al disclose a sheet fed device (102) with input trays (105, 106), media sheets (P), media paths and imaging path (301, 302, 303), an unusable media path (303b), media sensing circuitry (223) for receiving one media sheet (P), (see

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column 9, lines 10-68, column 10, lines 1-67). Ohba et al is silent as to the inclusion of a sheet-inverting duplexing path. Ohba et al and Blackman et al are of the same field of endeavors. Blackman et al disclose a media handling system (22) having a sheet inverting path for flipping the media sheet. It would have been obvious for one ordinary skill in the art to modify Ohba et al to include a module duplex media handling system (22) having the capability of inverting or flipping the media sheet (M) on its opposite side corresponding to the detected features or characteristics of the media surfaces as disclosed by Blackman et al in order to facilitate doubled sided copying to reduce the cost of paper used in copying, (see fig. 2, column 4, 34-40).

As to claim 8, the modified Ohba et al disclose a sheet fed device (102) with a media sensing circuitry (223) configured to detect one side of the media sheet (P) and location of the print impairing characteristics of a previous printing to determine a usable side of the media sheet, (see fig. 1, column 9, lines 10-67).

As to claim 9, the modified Ohba et al disclose a sensing circuitry (223) and media sheet (P), (see column 9, lines 10-67). Ohba et al is silent as to the inclusion of a direct inversion of the one media sheet to an opposite side to determine a usable side when detected. Blackman et al disclose a media handling system (22) having a sheet inverting path for flipping the media sheet. It would have been obvious for one ordinary skill in the art to modify Ohba et al to include a module duplex media handling system (22) having the capability of inverting or flipping the media sheet (M) on its opposite side corresponding to the detected features or characteristics of the media surfaces as

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disclosed by Blackman et al in order to facilitate doubled sided copying to reduce the cost of paper used in copying, (see fig. 2, column 4, 34-40).

As to claim 11, Ohba et al disclose selecting a media (P) from input trays (105 106); transporting the media sheet (P) past sensing circuitry (201) configured with sensor elements (211, 212); collecting data from the sensing circuitry (201); analyzing the data according to print-impairing characteristics; routing the media sheet (P) to a usable media paths (303, 303a) when the data from either side of the media sheet (P) qualifies the media sheet (P) for use by the sheet fed device (102), (see fig. 1b, column 9, lines 10-67, column 10, lines 1-67). Ohba et al and Blackman et al are of the same field of endeavors. Blackman et al disclose a media handling system (22) having a sheet inverting path for flipping the media sheet. It would have been obvious for one ordinary skill in the art to modify Ohba et al to include a module duplex media handling system (22) having the capability of inverting or flipping the media sheet (M) on its opposite side corresponding to the detected features or characteristics of the media surfaces as disclosed by Blackman et al in order to facilitate doubled sided copying to reduce the cost of paper used in copying, (see fig. 2, column 4, 34-40).

As to claim 12, Ohba et al disclose routing the media sheet (P) to an unusable media path (303b) when data from both sides of the media sheet (P) fails to qualify the media sheet (P) for use by the sheet fed device (102), (see fig. 1B, column 5, lines 51-55, column 10, lines 34-67).

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As to claim 13, Ohba et al disclose media sensor circuitry (223a) analyzes the data to determine the routing path of the print media (P), (column 9, lines 10-67, column 10, lines 34-67).

As to claim 15, the modified Ohba et al disclose performing imaging process on the media sheet (P).

Claims 3, 10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohba et al in view of Blackman et al and further in view of Chapman et al (4,710,963).

As to claim 3, the modified Ohba et al in view of Blackman et al disclose a media routing device with a controller (900), sheet (P), and sheet inverting duplexing path to invert the sheet. Ohba et al, Blackman et al and Chapman et al are of the same field of endeavors. Ohba et al in view of Blackman et al are silent according to the parameter being a threshold characteristics of the sheet. Chapman et al teach a first threshold that corresponds to the brightness of the printed area. It would have been obvious for one ordinary skill in the art to modify Ohba et al in view of Blackman et al to monitor and compare the brightness of the printed area of the media to improve the detection of the threshold signals or characteristics corresponding to the top and bottom face of the document as disclosed by Chapman et al in order to determine whether the document should be rejected or accepted, (see column 1, lines 5-68).

As to claim 10, the modified Ohba et al in view of Blackman et al disclose sheet-feed device (102), having an input/output device (904) electrically coupled to media

sensing circuitry (223a). Ohba et al in view of Blackman et al are silent as to the device defining a threshold of the print-imparting characteristics. Chapman et al disclose first and second threshold signals corresponding to the brightness of the media sheet. It would have been obvious for one ordinary skill in the art to modify Ohba et al in view of Blackman et al to monitor and compare the threshold signals corresponding to the document as disclosed by Chapman et al in order to determine whether the non-preprinted or pre-preprinted document should be rejected or accepted, (see column 1, lines 5-68).

As to claim 14, Ohba et al in view of Blackman et al teach comparing analyzed data, (see column 9, lines 34-67). Ohba et al in view of Blackman et al are silent as to the analyzed data including threshold signals. Chapman et al disclose analyzed data that includes threshold comparisons. It would have been obvious for one ordinary skill in the art to modify Ohba et al in view of Blackman et al to monitor and compare the brightness of the printed area of the media to improve the detection of the threshold signals or characteristics of the document as disclosed by Chapman et al to determine whether the document should be rejected or accepted, (see column 1, lines 5-68).

***Allowable Subject Matter***

Claims 16-20 allowed.

The following is a statement of reasons for the indication of allowable subject matter:



The prior art fails to teach, either singly or in combination the first presence and second presence is less than an unusable threshold and the first presence and second presence exceeds the unusable threshold.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Don Williams whose telephone number is 571-272-8538. The examiner can normally be reached on 8:30a.m. to 5:30a.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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